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JOHN EARL CAMPBELL

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

20 This matter came on regularly for hearing on May 1, 2007, before the Honorable
21 Magistrate Judge Elizabeth D. LaPorte, pursuant to Plaintiff JOHN EARL CAMPBELL's Motion
22 To Compel Further Answers to Interrogatories. Pamela Y. Price of Price And Associates
23 appeared on behalf of Plaintiff JOHN EARL CAMPBELL; Attorney Kathleen Maylin appeared
24 on behalf of Defendants NATIONAL PASSENGER RAILROAD CORPORATION
25 ("AMTRAK") and JOE DEELY.

26 The Court having read and considered Plaintiff's Motion and the opposition
27 thereto, and having heard and considered the arguments of counsel, and good cause appearing
28 therefore,

IT IS HEREBY ORDERED THAT Plaintiff's motion is granted. The Court finds that Defendant AMTRAK's failure to serve a complete response to MR. CAMPBELL's Interrogatories was unreasonable within the meaning and spirit of the Federal Rules and the information sought is relevant to the subject matter of this dispute and reasonably calculated to lead to the discovery of admissible evidence. (*Heyne v. Caruso*, 69 F.3d 1475, 1469-1481 (9th Cir. 1994); *Morgan v. National Passenger Railroad Corporation*, 232 F.3d 1008, 1018 (9th Cir. 2000), *affirmed in part and reversed in part on other grounds* in *National Railroad Passenger Corporation v. Morgan*, 536 U.S. 101, 122 S.Ct. 2061, 2074 (2002); *Stender v. Lucky's Stores*, 803 F.Supp. 259, 331-332 (N.D.Cal. 1992); *Estes v. Dick Smith Ford, Inc.*, 856 F.2d 1097 (8th Cir. 1988).)

IT IS FURTHER ORDERED THAT Defendant AMTRAK shall serve Supplemental Answers to Interrogatory Nos. 1, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 within seven (7) days from the date of this Order.

Dated: _____

HON. ELIZABETH D. LAPORTE
UNITED STATES MAGISTRATE JUDGE